

61-90

RR 7805PG052

NO TRANSFER
TAX PAID

WARRANTY DEED
(Statutory Short Form)
001817

ELM PLAZA CORPORATION, a Maine corporation with a mailing address of 21 Gurnet Road, Brunswick, Maine 04011, and **WATERVILLE SHOPPING TRUST** grant to **ELM PLAZA CORPORATION**, a Maine corporation with a mailing address of 21 Gurnet Road, Brunswick, Maine 04011 with **WARRANTY COVENANTS**, a certain parcel of land located in the City of Waterville, County of Kennebec, State of Maine, situated on the westerly side of Main Street, the boundaries of which are more particularly located and described as follows:

Commencing at an existing 5/8 inch diameter reinforcing bar in the westerly line of Main Street, at the northeasterly corner of land now or formerly of the McDonald's Corporation; thence by a bearing oriented to Grid North Maine State Plane Coordinate System West Zone, 1927 NAD, South 74°22'08" West 110.00 feet along the northerly line of land now or formerly of the McDonald's Corporation to an existing 5/8 inch diameter reinforcing bar; thence North 81°39'32" West 130.06 feet along the northerly line of land now or formerly of the McDonald's Corporation to an existing 1/2 inch diameter reinforcing bar at the easterly line of land now or formerly of Elm Plaza Corporation leased to Waterville Shopping Trust; thence North 80°27'46" West 50.00 feet through land of Elm Plaza Corporation; thence North 09°32'14" East 35.49 feet through land of Elm Plaza Corporation; thence North 44°33'17" East 112.20 feet through land of Elm Plaza Corporation; thence North 19°56'05" East 180.87 feet through land of Elm Plaza Corporation; thence North 67°35'36" East 30.00 feet through land of Elm Plaza Corporation to the westerly line of said Main Street, at a non-tangent curve concave southwesterly with a radius of 4,724.65 feet; thence southeasterly 313.87 feet along the arc of said curve in the westerly line of Main Street, through a central angle of 03°48'23", to the point of beginning. Containing 47,162 square feet.

Said described parcel of land is subject to the following easements and conditions:

The conditions described in the easement to the Waterville Sewerage District, recorded at Book 4005, Page 171 in the Kennebec County Registry of Deeds, for the discharge of storm water flows;

The rights of Central Maine Power Company and Bell Atlantic, formerly New England Telephone and Telegraph Company, to pole lines, wires and transformers as described in several easement deeds of record, recorded at Book 1707, Page 62 and Book 1727, Page 287 in said Registry of Deeds;

The rights benefiting land now or formerly of McDonald's Corporation for use and maintenance of the sewer and water facilities on said parcel, and for slope easements and to flow storm water to said parcel as described in an Easement Agreement recorded in Book 5832, Page 155 in said Registry of Deeds;

The restrictive covenants benefiting land now or formerly of McDonald's Corporation as described in a Covenant recorded in Book 5832, Page 149 in said Registry of Deeds;

Peter Celli, Martin, Haddam
PJ Jay 17555
17555 17555 17555 2

61-90

RK 7805PG053

Said described parcel of land is a portion of the parcel described in the conveyance to Elm Plaza Corporation, deed recorded in Book 3773, Page 185 in the Kennebec County Registry of Deeds, and is depicted as Parcel 1 on Plan of ALTA/ACSM Land Title Survey of Property of Elm Plaza Corporation & Waterville Shopping Trust, lessee, Main Street, Waterville, Maine, for Elm Plaza Corporation, dated October 8, 1998, prepared by Paul H. Ruopp, Jr. PLS and recorded in Plan Book E98-139.

This Deed is joined in by the Waterville Shopping Trust for the sole purpose of releasing any rights it may have acquired for the use and maintenance of the bulk propane gas facilities on said parcel by virtue of any recorded documents referring to such rights including, but not limited to, a Mortgage, Security Agreement and Financing Statement from Elm Plaza Corporation to Pioneer Capital Corporation dated October 28, 1998 and recorded in the Kennebec County Registry of Deeds in Book 5773, Page 74.

IN WITNESS WHEREOF, Grantor has executed this deed on this the 13 day of January, 2004.

[Signature]
Witness

ELM PLAZA CORPORATION

By: [Signature]
Robert A. Rosenthal, its President

[Signature]
Witness

WATERVILLE SHOPPING TRUST:

By: [Signature]
Robert A. Rosenthal, its Trustee

STATE OF ARIZONA
MARICOPA, ss:

January 13, 2004

Then personally appeared the above-named Robert A. Rosenthal and acknowledged the foregoing instrument to be his free act and deed and the free act and deed of Elm Plaza Corporation and of Waterville Shopping Trust. Before me,

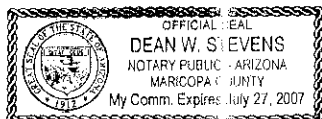
[Signature]

Notary Public/Attorney-at-Law

Dean W. Stevens

Name Typed or Printed

My Commission Expires: 7-27-07



RECEIVED KENNEBEC SS.

2004 JAN 22 AM 9:00

ATTACHED: [Signature]
REGISTER OF DEEDS